

Application No. 09/711,049
Amendment dated December 14, 2005
Reply to Office Action of July 22, 2005

REMARKS

Status Of Application

Claims 1-18, 20-23, 25-34, and 36-40 are pending in the application; the status of the claims is as follows:

Claims 1-8, 10-12, 14, 18, 20, 22, 23, 25, 36, 39, and 40 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,539,499 B1 to Stedman et al. (“Stedman”).

Claims 9, 13, and 21 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 15-17, 26-34, 37, and 38 are allowed.

Claim Amendments

Claim 1 has been amended to incorporate the subject matter of claims 8 and 9, and is therefore equivalent to rewriting claim 9 in independent form. It was stated at page 8 of the Office Action that such a rewritten claim would be allowable. It is respectfully submitted, therefore, that claim 1 is allowable over the art of record. It is further submitted, that claims 2-7, 10-12, 14, and 18 are also allowable over the art of record by virtue of depending from claim 1. Claims 8 and 9 are cancelled.

Claim 20 has been amended to incorporate the subject matter of claim 21, and is therefore equivalent to rewriting claim 21 in independent form. Claim 21 is cancelled. It was stated at page 8 of the Office Action that such a rewritten claim would be allowable. It is respectfully submitted, therefore, that claim 20 is allowable over the art of record.

Application No. 09/711,049
Amendment dated December 14, 2005
Reply to Office Action of July 22, 2005

Claims 22 has been amended so that it depends from claim 15, which stands allowed. It is respectfully submitted that claim 22 is allowable, as is claim 23 which depends therefrom.

Claim 27 has been amended to correct a spelling error.

Claims 25, 36, 39 and 40 are cancelled.

CONCLUSION

Wherefore, in view of the foregoing amendments and remarks, this application, including claims 1-7, 10-18, 20, 22-23, 26-34, and 37-38, is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims. Accordingly, no fee based on the number or type of claims is currently due. However, if a fee, other than the issue fee, is due, please charge this fee to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee,

Application No. 09/711,049
Amendment dated December 14, 2005
Reply to Office Action of July 22, 2005

and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's
Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

By: 
Michael J. DeHaemer
Registration No. 39,164
Attorney for Applicant

MJD/lb:jjk
SIDLEY AUSTIN BROWN & WOOD LLP
717 N. Harwood, Suite 3400
Dallas, Texas 75201
Direct: (214) 981-3335
Main: (214) 981-3300
Facsimile: (214) 981-3400
December 14, 2005

DA1 333439v.4